

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUL 28 2006

Returned to applicant for correction _____

Corrected application filed _____

Map filed JAN 20 2005 under 72134

The applicant **Circle Bar N Ranch**, a Nevada Limited liability company hereby makes application for permission to change the **Place of Use and Point of Diversion** of water heretofore appropriated under **Permit No. 35325 (Certificate No. 11424)**

1. The source of water is **Underground**
2. The amount of water to be changed **1.00 c.f.s., but not to exceed 166.00 acre-feet annually**
3. The water to be used for **Irrigation and Domestic**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point **SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, T13N, R25E, MDM., or at a point from which the NE corner of said Section 12 bears N 58° 33' 17" E a distance of 4,355.45 feet. Refer to supporting map filed under Application to Change No. 72134**
6. The existing permitted point of diversion is located within **Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) Section 2, T13N, R26E, MDM or at a point from which the NW corner of said Section 2 bears N 16° 10' 29" W, a distance of 1,224.47 feet. Refer to Certificate No. 11424 and supporting map filed under PBU for Permit No. 35325**
7. Proposed place of use **A portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, all of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1 and all of the NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and portions of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, T 13N, R25E, MDM. Refer to supporting map under 72134**
8. Existing place of use **2.3 acres in Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) and 39.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2 T13N, R26E, MDM totaling 41.5 acres. Refer to PBU map filed under Permit No. 35325 (Certificate No. 11424)**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Drilled and cased well, equipped with motor, pump and distribution system to place of use.**
12. Estimated cost of works
13. Estimated time required to construct works **2 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**

15. Remarks: This water right is a Primary stand alone Ground Water Right that will be moved in the future and will remain a Primary Stand alone Water Right.

By s/Michael D Buschelman
Michael D. Buschelman
Post Office Box 51371
Sparks, Nevada 89435

Compared sg/ag by gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 35325, Certificate 11424, is issued subject to the terms and conditions imposed in said Permit 35325, Certificate 11424, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 72134, 72135 and 74571 shall not exceed 952.42 acre-feet per year.

This permit for underground water is issued as a non-supplemental water supply to lands that may have a surface water right from the Walker River as set forth in the Walker River Decree C-125, or from storage water provided from the Walker River Irrigation District. The total diversion of water for irrigation from any and all sources shall not exceed the duty of water for this place of use as set forth in the Decree.

This permit is issued for the irrigation of 41.5 acres within the described place of use.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

The total diversion rate of permits 72134, 72135 and 74571 shall not exceed 4.246 cubic feet per second.

(Continued on Page 3)

CORRECTED PERMIT

Page 3 of 3
(PERMIT TERMS CONTINUED)

74571

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, or 166.0 acre-feet per year, and not to exceed an annual duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

November 13, 2007

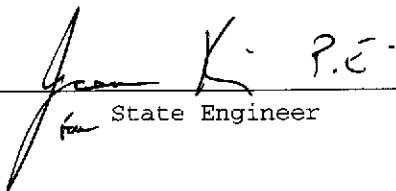
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

November 13, 2009

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,
State Engineer of Nevada, have hereunto set
my hand and the seal of my office,
this 31st day of March, A.D. 2008



State Engineer

Completion of work filed _____
Proof of beneficial use filed _____
Cultural map filed _____ N/A _____
Certificate No. _____ Issued _____

SEE Corrected Permit

No. 74571

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Michael D. Buschelman
Post Office Box 51371
Sparks, Nevada 89435

Compared sg/ag by gkl

Protested _____

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This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 72134, 72135 and 74571 shall not exceed 954.44 acre-feet per year.

This permit for underground water is issued as a non-supplemental water supply to lands that may have a surface water right from the Walker River as set forth in the Walker River Decree C-125, or from storage water provided from the Walker River Irrigation District. The total diversion of water for irrigation from any and all sources shall not exceed the duty of water for this place of use as set forth in the Decree.

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If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

The total diversion rate of permits 72134, 72135 and 74571 shall not exceed 4.44 cubic feet per second.

(Continued on Page 3)

(PERMIT TERMS CONTINUED)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, or 166.0 acre-feet per year, and not to exceed an annual duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

November 13, 2007

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

November 13, 2009

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,
State Engineer of Nevada, have hereunto set
my hand and the seal of my office,
this 13th day of November, A.D. 2006

Tracy Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A _____

Certificate No. _____ Issued _____